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7 TERRIBLE HERBST INC.

8
9 UNITED STATES DISTRICT COURT

10 DISTRICT OF NEVADA

11 Sheida Hukman,
12 Plaintiff,
13
14 v.
15 Terrible Herbst Inc.,
16 Defendant.

Case No. 2:21-cv-01279-APG-VCF

**STIPULATION AND ~~(PROPOSED)~~ ORDER TO
EXTEND DISCOVERY DEADLINES**

[FIRST REQUEST]

17
18 Pursuant to LR IA 6-1, 6-2, and LR 26-3, Defendant TERRIBLE HERBST INC.
19 (“Terrible’s”), by and through its undersigned counsel and Plaintiff SHEIDA HUKMAN
20 (“Plaintiff”), hereby stipulate to amend the Discovery Plan and Scheduling Order, (ECF No. 21),
21 by extending the outstanding discovery deadlines for a period of ninety (90) days.

22 This is the first request for an extension to the Discovery Plan and Scheduling Order in this
23 matter. The requested extension is sought in good faith and not for purposes of undue delay. This
24 request is submitted at least twenty-one (21) days or more before each deadline set forth below.

25 **DISCOVERY COMPLETED TO DATE**

26 The parties served their initial disclosures pursuant to FRCP 26(a)(1) on August 19, 2021.
27 On August 24, 2021 Terrible’s propounded its first set of Interrogatories and Requests for
28 Production on Plaintiff. On September 17, 2021, Plaintiff propounded her first set of Interrogatories

1 and Requests for Production on Terrible's. On September 21, 2021, Plaintiff served her
 2 computation of damages. On September 23, 2021, Plaintiff served and amended computation of
 3 damages. The parties participated in the Early Neutral Evaluation conference on October 1, 2021,
 4 (ECF No. 25), before the Honorable Judge Weksler, where the lawsuit did not settle. On October
 5 11, 2021, Plaintiff served Plaintiff's Responses to Defendant's First Set of Interrogatories and
 6 Requests for Production. On October 18, 2021, Terrible's served Defendant's Responses to
 7 Plaintiff's First Set of Interrogatories and Requests for Production. On October 27, 2021 Terrible's
 8 served its Motion to Stay Discovery (ECF No. 26).¹ On November 5, 2021, Plaintiff filed a Motion
 9 to Compel Interrogatories (ECF No. 27).² On November 9, 2021, Terrible's sent a meet and confer
 10 letter to Plaintiff. On November 30, 2021, the parties met and conferred regarding Plaintiff's
 11 discovery responses and other issues including taking depositions in 2022.

12 **DISCOVERY THAT REMAINS TO BE COMPLETED**

13 The parties intend to serve third-party subpoenas pursuant to the responses provided in the
 14 respective discovery responses. Terrible's intends to take the depositions of the Plaintiff and
 15 potentially others based upon the discovery responses and deposition testimony provided. Plaintiff
 16 intends to take depositions of employees and former employees of Terrible's.

17 **REASONS FOR EXTENSION TO COMPLETE DISCOVERY**

18 This extension is necessary to allow both parties ample time to complete all appropriate
 19 discovery prior to taking depositions. Specifically, additional time is needed to complete written
 20 discovery and receive responses to third-party subpoenas, as well as to notice and take depositions.
 21 The parties are currently working through the meet and confer process with respect to Plaintiff's
 22 responses to Terrible's written discovery requests. Moreover, the ENE was only a month and a
 23 half ago and one of Defendant's counsel will be out of the office for over a week during the holiday
 24 season. Accordingly, the parties believe that, absent any unforeseen circumstances, all necessary
 25 discovery can be accomplished by the requested extended deadline. Good cause exists to extend
 26 all deadlines in order to permit the parties to achieve their respective stated discovery goals.

27 ¹ Defendant's Motion to Stay Discovery is fully briefed and pending before the Court.

28 ² Plaintiff's Motion to Compel Defendant Interrogatories is fully briefed and pending before the Court.

PROPOSED REVISED DISCOVERY PLAN

1. Discovery Cut-Off Deadline

The discovery cut-off deadline shall be extended for ninety (90) days from January 10, 2022 to **Monday, April 11, 2021³**.

2. Dispositive Motions Deadline

The parties shall file dispositive motions thirty (30) days after the extended discovery cut-off date of April 11, 2021, and therefore, not later than **Wednesday, May 11, 2022**.

3. Joint Pretrial Order Deadline

If no dispositive motions are filed, and unless otherwise ordered by this Court, the Joint Pretrial Order shall be filed thirty (30) days after the date set for filing dispositive motions, and therefore, not later than **Friday, June 10, 2022**. In the event dispositive motions are filed, the date for filing the Joint Pretrial Order shall be suspended until thirty (30) days after the Court enters a ruling on the dispositive motions or otherwise by further order of the Court.

4. Fed. R. Civ. P. 26(a)(3) Disclosures

If no dispositive motions are filed, and unless otherwise ordered by this Court, the parties shall file the disclosures required by Fed. R. Civ. P. 26(a)(3) and any objections thereto with the Pretrial Order pursuant to LR 26-1(b)(6) in the Joint Pretrial Order, not more than thirty (30) days after the date set for filing dispositive motions and, therefore, not later than **Friday, June 10, 2022**.

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³ Deadline lands on a Sunday, moved to Monday.

5. Extensions or Modification of the Discovery Plan and Scheduling Order

In accordance with Local Rule 26-3, any stipulation or motion for modification or extension of this discovery plan and scheduling order must be made at least twenty-one (21) days prior to the expiration of the subject deadline.

Dated: December 3, 2021

Dated: December 3, 2021

Respectfully submitted,

Respectfully submitted,

/s/ Sheida Hukman
SHEIDA HUKMAN

Pro Se Plaintiff

/s/ Steven J.T. Washington
ROGER L. GRANDGENETT II, ESQ.
STEVEN J.T. WASHINGTON, ESQ.
LITTLER MENDELSON, P.C.

Attorneys for Defendant
TERRIBLE HERBST INC.

IT IS SO ORDERED.

Dated: December 6, 2021.



UNITED STATES MAGISTRATE JUDGE

4859-5495-0149.1 / 036579-1038